

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-1(b)	
LAW OFFICES OF LEE M. PERLMAN Lee M. Perlman, Esquire Attorneys for Debtor 1926 Greentree Road, Suite 100 Cherry Hill, NJ 08003 856-751-4224	Case No.: 24-19449 Chapter: 7
In Re: John R. Slinka Debtor John R. Slinka, Plaintiff v. United States Department of Education Defendant	Adversary Proceeding No.: Judge: Poslusny COMPLAINT TO DETERMINE DISCHARGEABILITY OF STUDENT LOAN DEBTS

John R. Slinka, by and through his attorney Lee M. Perlman, Esq. says as follows:

Jurisdiction

1. This Court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C. § 1334 and 28 U.S.C. § 157.
2. This is a proceeding to determine the dischargeability of debt pursuant to Bankruptcy Rule 7001(6).
3. On September 24, 2024, John R. Slinka (hereinafter “Debtor” or “Plaintiff”) filed the instant Chapter 7 bankruptcy.
4. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A) and 28 U.S.C. § 157(b)(2)(K). To the extent that the claim presented does not constitute a core

proceeding, such claim is otherwise related to the Debtor's bankruptcy proceeding and thus this Court may hear this matter pursuant to 28 U.S.C. § 157(c)(1).

5. Plaintiff consents to the entry of final judgment by the Bankruptcy Court.
6. Venue of this proceeding in this District is proper pursuant to 28 U.S.C. § 1409.

Parties

7. Plaintiff is an individual with principal residence located at 1 Wagon Wheel Drive, Sicklerville, New Jersey 08081.
8. Defendant United States Department of Education (hereinafter "DOE") is a governmental unit of the United States of America with principal offices located at 400 Maryland Avenue SW, Washington, District of Columbia 20202.
9. Defendant DOE also accepts service of process of complaints at US Department of Education, 50 United Nations Plaza, Box 1200, Suite 1240, San Francisco, California 94102.

Facts

10. Plaintiff is the Debtor in the instant bankruptcy case.
11. Plaintiff's Schedule I, filed on September 24, 2024, discloses gross monthly income of \$2,286.59 and net monthly take-home income of \$1,926.11
12. Plaintiff's Schedule J, filed on September 24, 2024, discloses reasonable monthly expenses of \$1,893.00 , for net disposable monthly income of \$33.11.
13. These schedules do not include an expense for payment of student loans.
14. The debtor has not experienced any significant change in circumstances since filing Schedules I and J.

15. No assets were distributed in the debtors Chapter 7 bankruptcy. The Chapter 7 trustee filed a report of no distribution on November 21, 2024.
16. The debtor received a discharge on December 27, 2024.
17. The debtor's circumstances do not support the repayment of the \$139,698.00 owed as of the commencement of this case.

COUNT I – DISCHARGEABILITY OF DOE DEBT

18. Plaintiff repeats all statements set forth in the above paragraphs as if fully restated herein.
19. Plaintiff has made good faith efforts to repay the DOE Debt.
20. Plaintiff is unable to maintain a minimal standard of living if required to make payments on the DOE debt.
21. Plaintiff's financial situation is likely to persist into the future.
22. Excepting the DOE's debt from discharge would impose an undue hardship on the Plaintiff within the meaning of 11 U.S.C. 523(a)(8).
23. To the extent that the plaintiff has debt obligations to the DOE which are not specifically enumerated herein, the above statements apply to those other obligations.

WHEREFORE, Plaintiff demands judgment as follows:

- A. Determining that the DOE debt and any other debts owed to the United States Department of Education are dischargeable and shall be discharged as of the date of discharge in this case.
- B. For any other relief the Court deems fair and equitable.

Law Offices of Lee M. Perlman
Attorneys for Debtor

Dated: January 20, 2025

By: /s/Michael R. Brower
Michael R. Brower
Staff Attorney